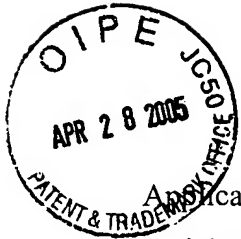


04-29-05

IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert J. Oliveira et al. Confirmation No.: 2680
 Serial No.: 10/729,715 Examiner: P. Dabney
 Filing Date: December 5, 2003 Group Art Unit: 2643
 Docket No.: 1043.1108101 Customer No.: 28075
 For: USER DISPOSABLE SLEEVE FOR USE WITHIN THE EAR CANAL

TRANSMITTAL SHEET

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certified that this paper or papers, as described herein are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 314496937 US in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 28th day of April 2005.

By Kathleen L. Boekley
 Kathleen L. Boekley

We are transmitting herewith the attached:

☐ Amendment
☐ No additional claim fee required ☐ The claim fee has been calculated as shown:

CLAIMS AS AMENDED							
				SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		X 25 =	\$	X 50 =	\$
INDEPENDENT CLAIMS	-	=		X 100 =	\$	X 200 =	\$
() FIRST MULTIPLE DEPENDENT CLAIM				+ 180 =	\$	+ 360 =	\$
TOTAL				\$		\$	

☒ Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established.

[] A check in the amount of \$_____ is enclosed. Itemization:

Fee Code _____ \$

Fee Code _____ \$

Fee Code _____ \$

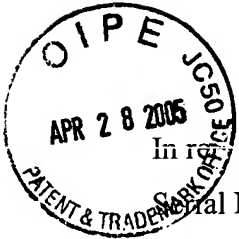
[XX] Other: INFORMATION DISCLOSURE STATEMENT, CERTIFICATION FOR INFORMATION DISCLOSURE STATEMENT, FORM PTO-1449 AND 1 CITED FOREIGN REFERENCE.

[XX] Return Receipt Postcard (MPEP 503).

[XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By: 
David M. Crompton, Reg. No. 36,772

David M. Crompton
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Robert J. Oliveira et al. Confirmation No.: 2680
In re Examiner: P. Dabney
Serial No.: 10/729,715 Group Art Unit: 2643
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INFORMATION DISCLOSURE STATEMENT

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certified that this paper or papers, as described herein are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 314496937 US in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 28th day of April 2005.

By Kathleen L. Bookley
Kathleen L. Bookley

Dear Sir:

Pursuant to the obligations of candor and good faith imposed by 37 C.F.R. § 1.56, the documents listed on the attached PTO-1449 are hereby disclosed.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each non-U.S. patent/publication document or other information listed on the enclosed Form PTO-1449 is provided.

No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

Respectfully submitted,

Robert J. Oliveira et al.

By their Attorney,

David M. Crompton

David M. Crompton, Reg. No. 36,772
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2420
Telephone: (612) 677-9050

Date: 4/28/05



P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Robert J. Oliveira et al. Confirmation No.: 2680
Serial No.: 10/729,715 Examiner: P. Dabney
Filing Date: December 5, 2003 Group Art Unit: 2643
Docket No.: 1043.1108101 Customer No.: 28075
For: USER DISPOSABLE SLEEVE FOR USE WITHIN THE EAR CANAL

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION FOR INFORMATION DISCLOSURE STATEMENT
(37 C.F.R. § 1.97(e)(1))**

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certified that this paper or papers, as described herein are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 314496937 US in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 28th day of April 2005.

By Kathleen L. Boekley
Kathleen L. Boekley

Dear Sir:

This certification is being made for the Information Disclosure Statement accompanying this certification.

CERTIFICATION

I, the person signing below, certify that each item of the information contained in the Information Disclosure Statement submitted herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement (37 C.F.R. § 1.97(e)(1)).

Further, I state that the aforementioned foreign communication was not received by any individual designated in § 1.56(c) more than thirty (30) days prior to the filing of the Information Disclosure Statement.

The person making this certification is a person who is the attorney who signs below on the basis of the information in the attorney's file.

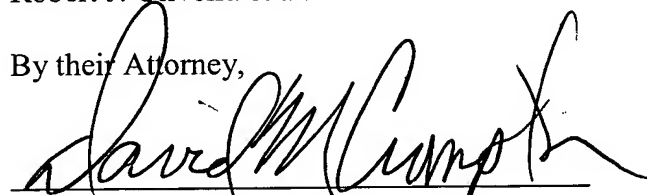
Respectfully submitted,

Robert J. Oliveira et al.


By their Attorney,

Date: _____

4/28/05



David M. Crompton, Reg. No. 36,772
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1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349

	FORM PTO-1449		Atty. Docket No.: 1043.1108101	Serial No.: 10/729,715
	LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		Applicant: Robert J. Oliveira et al.	
			Confirmation No.: 2680	
			Filing Date: December 5, 2003	Group Art: 2643

U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
AA	4,864,610	09/05/1989	Stevens	
AB	2001/0017230 A1	08/30/2001	Brimhall et al.	

FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Translation Yes No
AC	WO 99/07182 A2	02/11/1999	WIPO	

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.